

## REMARKS

In accordance with the foregoing, claims 18 and 19 are cancelled without prejudice. Claims 1-17 are pending and under consideration.

### ALLOWABLE SUBJECT MATTER

Applicants acknowledge with appreciation the indication that claims 1-17 are allowed.

### CLAIM REJECTIONS UNDER 35 U.S.C. §102 AND §103

Claim 18 is rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,365,369 to Ogino. Claim 18 is rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 6,239,907 to Allen. Claim 19 is rejected under 35 U.S.C. §103(a) as allegedly being rendered obvious by U.S. Patent No. 5,365,369 to Ogino or U.S. Patent No. 6,239,907 to Allen. Claims 18 and 19 are cancelled herewith without prejudice. The claim cancellation renders the present rejections moot.

### CONCLUSION

**Applicants respectfully request entry of this amendment under 37 CFR §1.116 because in view of the Office Action indication of allowable subject matter, the cancellation of the rejected claims puts the application in condition for allowance.**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: July 1, 2009

By: [Signature]  
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# **REPLY/AMENDMENT FEE TRANSMITTAL**

Attorney Docket No.	970.1015
Application Number	10/575,250
Filing Date	January 25, 2007
First Named Inventor	Kazuyoshi EBINA et al.
Group Art Unit	2862
Examiner Name	MAHONEY, CHRISTOPHER E

AMOUNT ENCLOSED	0.00
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## **FEE CALCULATION (fees effective 10/02/08)**

CLAIMS AS AMENDED	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra	Rate	Calculations
TOTAL CLAIMS	17	- 20 =	0	X \$ 52.00 =	\$ 0.00
INDEPENDENT CLAIMS	3	- 4 =	0	X \$ 220.00 =	0.00

Since an Official Action set an original due date of July 15, 2009, petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$130)); (2 months (\$490)); (3 months (\$1,110)); (4 months (\$1,730)); (5 months (\$2,350)):

If Notice of Appeal is enclosed, add (\$540.00)

If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$140.00)

Information Disclosure Statement (Rule 1.17(p)) (\$180.00)

Total of above Calculations =

\$ 0.00

Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)

**TOTAL FEES DUE =**

\$ 0.00

(1) If entry (1) is less than entry (2), entry (3) is "0".

(2) If entry (2) is less than 20, change entry (2) to "20".

(4) If entry (4) is less than entry (5), entry (5) is "0".

(5) If entry (5) is less than 3, change entry (5) to "3".

## **METHOD OF PAYMENT**

- ☐ Check enclosed as payment.
- ☐ Charge "TOTAL FEES DUE" to the Deposit Account No. below.
- ☒ No payment is enclosed.

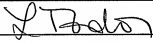
## **GENERAL AUTHORIZATION**

- ☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:

Deposit Account No.	19-3935
Deposit Account Name	STAAS & HALSEY LLP

- ☒ The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

SUBMITTED BY: STAAS & HALSEY LLP

Typed Name	Luminita A. Todor	Reg. No.	57,639
Signature		Date	July 1, 2009